

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Marine Polymer Technologies, Inc.

v.

Civil No. 06-cv-100-JD

HemCon, Inc.

O R D E R

HemCon, Inc. moves, in limine, to preclude Marine Polymer Technologies, Inc. from presenting evidence at trial of infringement of the non-asserted claims in the '245 patent. Marine Polymer responds by noting that although the non-asserted claims will appear as part of the '245 patent, which will be provided to the jury, Marine Polymer will not "present evidence, argue about, discuss or make comments to the jury concerning infringement of these claims at the trial of the case." Therefore, the parties agree that infringement of the non-asserted claims is irrelevant and no evidence or argument pertaining to that issue will be presented at trial.

Conclusion

For the foregoing reasons, HemCon's motion in limine to preclude evidence pertaining to infringement of the non-asserted claims in the '245 patent (document no. 189) is granted, with the

exception that the '245 patent, which includes the non-asserted claims, will be provided to the jury.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

March 30, 2010

cc: Julie M. Baher, Esquire
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